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DE RUEHRH #2531/01 3541239
ZNY CCCCC ZZH
P 201239Z DEC 07
FM AMEMBASSY RIYADH
TO RUEHC/SECSTATE WASHDC PRIORITY 7301
INFO RUEHJI/AMCONSUL JEDDAH PRIORITY 9315

C O N F I D E N T I A L RIYADH 002531

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E.O. 12958: DECL: 12/20/2017

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SUBJECT: ISMAILI SHI'A ACTIVISTS THREATEN TO "UNLEASH HELL"
IF HADI AL-MUTIF IS NOT RELEASED

REF: A. 2006 RIYADH 8808
[1](#)B. 2005 RIYADH 7281
[1](#)C. 2005 RIYADH 7757
[1](#)D. 2007 RIYADH 2501

Classified By: Deputy Chief of Mission Michael Gfoeller for
reasons 1.4 (b) and (d)

[1](#)1. (C) SUMMARY: PolOff met with five Ismaili Shi'a activists recently to discuss the latest efforts to free Hadi al-Mutif, an Ismaili Shi'a who has been in prison for the past 15 years for uttering a profanity against the Prophet. (reftel A) Shi'a and human rights activists maintain that al-Mutif's harsh punishment is tied to his religious identity. Spurred by the international media focus on the "Qateef girl," the activists invited al-Mutif's father to Riyadh in late November to discuss how to secure his son's release. They first chose the "tribal route" by asking a prominent Sheikh from a leading tribe to accompany al-Mutif's father to King Abdullah's weekly majlis in Riyadh, in order to request the King's intervention. However, this effort was not successful, so the activists decided to ask the president of the Saudi Human Rights Commission to speak directly with King Abdullah in Riyadh. If this official route does not achieve results by the first day of the first Islamic month of Muharram (January 8, 2008), the activists claim that they "will unleash hell" against the SAG via foreign media. They continue to insist that al-Mutif's case is representative of SAG discrimination against Ismailis and the southern Najran region in general. (reftels B and C) While the recently announced judicial reforms and the King's pardon of the "Qateef girl" are promising, it remains to be seen if these developments will have any effect on al-Mutif's case or if an international campaign will be launched on his behalf. END SUMMARY.

BACKGROUND ON HADI AL-MUTIF

[1](#)2. (C) Hadi al-Mutif was 18 years old when he began training at a military unit in the southern Najran province. According to Embassy contacts and Human Rights Watch, al-Mutif apparently uttered "let's pray on the penis of the Prophet" during a communal prayer session in December 1993. (reftel A) In response, his superiors turned him over to the "mabahith" or secret police, who questioned him for a few weeks and then transferred him to a local jail. His first trial was in 1994. Then he was sentenced to death in 1996 for "saab al Rasul" or insulting the Prophet. The sentence was commuted to life imprisonment in 1999. Human Rights Watch asserts that judges during each phase of his sentencing, from the Najran General Court to the Mecca Appeals Court to the Supreme Judicial Council, displayed open

hostility towards al-Mutif's Ismaili identity. After repeated requests by his family, King Abdullah approved a special review process, including a six-month psychiatric evaluation, which concluded that al-Mutif "suffered from childhood trauma and that he was not responsible for his actions at the time of the incident." However, a judicial committee upheld the verdict in 2001 and sent al-Mutif back to the Najran Mabath Prison, where he has attempted suicide at least two times. He is now kept in isolation reportedly as punishment for a January 2007 al-Hurra interview.

13. (C) Al-Mutif remains in prison because he was sentenced under "had," which is a punishment mandated under the Qur'an, and not under "ta'azir," which is a punishment that allows for more discretion in sentencing. If his case is changed to "ta'azir," then King Abdullah could pardon him. A Ministry of Islamic Affairs official told PolOff on December 2 that he knew of a Sunni man who was executed for a similar offense and therefore, he believed that al-Mutif's punishment was "fair." However, he added that he believes that the King "will pardon him shortly."

ACTIVISTS FIRST CHOOSE TRIBAL ROUTE TO FREE HADI

14. (C) PolOff held a series of meetings with five male Najrani activists in November and December to discuss the latest efforts to free al-Mutif. These activists range in age from the mid-twenties to late fifties. They include a graduate student, a psychologist, a military officer, and two public relations officials. Three of these activists and other Najranis based in Riyadh invited Said al-Mutif, the father of Hadi al-Mutif, to visit Riyadh in late November to discuss how to secure his son's release. During their

initial meeting on Saturday November 24, the activists debated an "international route" or requesting help from foreign missions in Saudi Arabia, international human rights organizations, and foreign media, but voted against this option. The group instead chose the "tribal route" by asking a Sheikh from the Ajman tribe to accompany Said to the King's weekly majlis on Friday November 30 to plead for the King's intervention. An activist confided to PolOff on December 1 that Supreme Judicial Court Judge Saleh al-Luhaidan refuses to revisit the al-Mutif case, so the activists are trying to encourage the King to either pardon al-Mutif or ask al-Luhaidan to at least review the case. However, the Sheikh called Said on Thursday November 29 to say that he "had other plans," so he could not accompany Said to the King's majlis. When the group met with Said again on Thursday night, he was "devastated" and "sobbing." Therefore, the activists decided to send Said back to Najran the next day.

IF OFFICIAL ROUTE FAILS, ACTIVISTS WILL USE THE MEDIA

15. (C) An activist told PolOff on December 1 that the group is now following up with Human Rights Commission President Sheikh Turki al-Sudairy in Riyadh to request his intervention with the King. Although Said has met previously with Sheikh Turki, Crown Prince Sultan and even King Abdullah, the activists are willing to use the "official route" one last time. However, if the group does not receive an official response by the "first day of the first Islamic month of Muharram" (approximately January 8, 2008), then the group will attempt to "unleash hell" on the Saudi Government by taking the "international route." The activists repeatedly compared al-Mutif's case to the "Qateef Girl" case and said that "it was almost time" to start using the media to raise al-Mutif's international profile

SYSTEMIC DISCRIMINATION AGAINST ISMAILIS?

16. (C) An activist told PolOff on November 30 that "Hadi's

case is a litmus test for Saudi justice for both Najrani and other Saudi activists." He referred to the ongoing perceptions of systemic bias against Ismailis and other communities living outside of the central Nejd region. (reftels B and C) The 2005 SAG census defines the Najran population to be approximately 430,000, of whom 85% are Ismaili according to the activists. They also claim that there are almost 700,000 Ismailis throughout the country. The activists described a pattern of SAG discrimination against Ismailis, who are reportedly unable to "build their mosques" with Ismaili imams, as opposed to SAG-sponsored Sunni imams, whose Ismaili imams are "co-opted by Wahhabi" imams, and whose religious identity is disparaged in Saudi textbooks. They also pointed to Najran's limited infrastructure, including no television station or newspapers, limited employment opportunities, and basic educational facilities - with the very recent exception of the 2007 opening of Najran's first university. In addition, they alleged that the SAG is relocating and "building new villas and cantons" for Yemeni Sunni tribes, in order to change Najran's religious demographics.

17. (C) The activists brought up two specific cases to demonstrate the inconsistent and unfair application of SAG justice in al-Mutif's case. First, they cited the case of Mu'idh al-Salim, a 16-year old Ismaili who uttered the same profanity as al-Mutif and whose original death sentence and subsequent commuted sentence of 14 years and 4,000 lashes was pardoned by King Abdullah on October 30, 2006. Second, they cited the October 24, 2007 execution of Hadi al-Suleiman, an Ismaili who helped a convicted drug smuggler escape from a Najran hospital to Yemen. After the appeals court and Supreme Judicial Court upheld the ruling, the King ordered al-Suleiman to be beheaded on the grounds of "al harraba" or spreading corruption in the land. The activists viewed al-Suleiman's role as an accessory to the crime to be disproportionate to his harsh punishment, which they viewed as another example of SAG intolerance of Ismailis. (COMMENT: While "had al harraba" is a notoriously flexible punishment (reftel D), it is more likely that al-Suleiman's harsh punishment reflects the SAG's strict policy against narcotics. END COMMENT.)

18. (C) COMMENT: The Ismaili activists' internal debate mirrors Saudi decision-making writ large, with the activists trying to take a tribal route to secure al-Mutif's release before turning to outsiders for assistance. In light of the

recent media focus on the "Qateef Girl" case, it is not surprising that the Najrani activists are now considering using the media to further their cause. However, in the absence of a coordinated media strategy, this "international route" may have unintended consequences, as evidenced by the SAG's reported isolation of al-Mutif after his January 2007 al-Hurra interview. In general, Ismaili claims of systemic discrimination are similar to claims made by Shi'a activists in the Eastern Province, but are difficult to substantiate without further outreach to Najranis. The inconsistent sentencing of Ismailis demonstrates the wide discretion of Saudi judges under the current judicial system and explains the rationale for the recently announced judicial reforms. While these reforms and the King's pardon of the "Qateef Girl" are promising, it remains to be seen if these developments will have any effect on al-Mutif's case or if an international campaign will be launched on his behalf. Post will continue monitoring the al-Mutif case, the related efforts of the activists, and the situation in Najran. END COMMENT.

FRAKER